



General Assembly

Bill No. 940

January Session, 2005

LCO No. 2894

02894_____

Referred to Committee on Government Administration and Elections

Introduced by:

SEN. DELUCA, 32nd Dist.

REP. WARD, 86th Dist.

AN ACT CONCERNING THE CITIZENS' ETHICS AND GOVERNMENT INTEGRITY COMMISSION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 1-79 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2005*):

4 (d) "Commission" means the [State Ethics] Citizens' Ethics and
5 Government Integrity Commission established in section 1-80, as
6 amended by this act.

7 Sec. 2. Section 1-80 of the general statutes is repealed and the
8 following is substituted in lieu thereof (*Effective July 1, 2005*):

9 (a) There shall be a [State Ethics] Citizens' Ethics and Government
10 Integrity Commission consisting of nine members to be appointed
11 with the advice and consent of the General Assembly. One member
12 shall be appointed by the speaker of the House, one member by the

13 president pro tempore of the Senate, one member by the majority
14 leader of the Senate, one member by the minority leader of the Senate,
15 one member by the majority leader of the House of Representatives,
16 one member by the minority leader of the House of Representatives
17 and three members by the Governor. Members of the commission shall
18 serve for four-year terms which shall commence on October first,
19 except that members first appointed shall have the following terms:
20 The Governor shall appoint two members for a term of three years and
21 one member for a term of four years; the majority leader of the House
22 or Representatives, minority leader of the House of Representatives
23 and the speaker of the House of Representatives shall each appoint one
24 member for a term of two years; the president pro tempore of the
25 Senate, the majority leader of the Senate and the minority leader of the
26 Senate shall each appoint one member for a term of four years. No
27 individual shall be appointed to more than one four-year term as a
28 member of such commission, provided that members may not
29 continue in office [until a successor has been appointed and qualified]
30 once their term has expired. No more than five members shall be
31 members of the same political party. The members appointed by the
32 majority leader of the Senate and the majority leader of the House of
33 Representatives shall be selected from a list of nominees proposed by a
34 citizen group having an interest in ethical government. The majority
35 leader of the Senate and the majority leader of the House of
36 Representatives shall each determine the citizen group from which
37 each will accept such nominations. On and after October 1, 2004, one
38 member appointed by the Governor shall be selected from a list of
39 nominees proposed by a citizen group having an interest in ethical
40 government. The Governor shall determine the citizen group from
41 which the Governor will accept such nominations.

42 (b) All members shall be electors of the state. No member or
43 employee of such commission shall (1) hold or campaign for any
44 public office; (2) have held public office or have been a candidate for
45 public office for a three-year period prior to appointment; (3) hold
46 office in any political party or political committee or be a member of

47 any organization or association organized primarily for the purpose of
48 influencing legislation or decisions of public agencies; or (4) be an
49 individual who is a registrant as defined in subsection (q) of section 1-
50 91.

51 (c) Any vacancy on the commission shall be filled [for the unexpired
52 portion of the term] by the appointing authority having the power to
53 make the original appointment. An individual selected by the
54 appointing authority to fill a vacancy shall be eligible for appointment
55 to one full four-year term thereafter. Any vacancy occurring on the
56 commission shall be filled within thirty days.

57 (d) The commission shall elect a chairperson who shall, except as
58 provided in subsection (b) of section 1-82, as amended by this act, and
59 subsection (b) of section 1-93, as amended by this act, preside at
60 meetings of the commission and a vice-chairperson to preside in the
61 absence of the chairperson. Six members of the commission shall
62 constitute a quorum. Except as provided in subdivision (3) of
63 subsection (a) of section 1-81, as amended by this act, subsections (a)
64 and (b) of section 1-82, as amended by this act, subsection (b) of section
65 1-88, as amended by this act, subdivision (5) of section 1-92, as
66 amended by this act, subsections (a) and (b) of section 1-93, as
67 amended by this act, and subsection (b) of section 1-99, a majority vote
68 of the quorum shall be required for action of the commission. The
69 chairperson or any five members may call a meeting.

70 (e) Any matter before the commission, except hearings held
71 pursuant to the provisions of subsection (b) of section 1-82, as
72 amended by this act, or subsection (b) of section 1-93, as amended by
73 this act, may be assigned by the commission to two of its members to
74 conduct an investigation or hearing, as the case may be, to ascertain
75 the facts and report thereon to the commission with a recommendation
76 for action.

77 (f) Members of the commission shall be compensated at the rate of
78 fifty dollars per day for each day they attend a meeting or hearing and

79 shall receive reimbursement for their necessary expenses incurred in
80 the discharge of their official duties.

81 (g) The commission shall not be construed to be a board or
82 commission within the meaning of section 4-9a, as amended by this
83 act.

84 (h) The members and employees of the [State Ethics] Citizens' Ethics
85 and Government Integrity Commission shall adhere to the following
86 code of ethics under which the members and employees shall: (1)
87 Observe high standards of conduct so that the integrity and
88 independence of the [State Ethics] Citizens' Ethics and Government
89 Integrity Commission may be preserved; (2) respect and comply with
90 the law and conduct themselves at all times in a manner which
91 promotes public confidence in the integrity and impartiality of the
92 commission; (3) be faithful to the law and maintain professional
93 competence in the law; (4) be unswayed by partisan interests, public
94 clamor or fear of criticism; (5) maintain order and decorum in
95 proceedings of the commission; (6) be patient, dignified and courteous
96 to all persons who appear in commission proceedings and with other
97 persons with whom the members and employees deal in their official
98 capacities; (7) refrain from making any statement outside of a
99 commission proceeding, which would have a likelihood of prejudicing
100 a commission proceeding; (8) refrain from making any statement
101 outside of a commission proceeding that a reasonable person would
102 expect to be disseminated by means of public communication if the
103 member or employee should know that such statement would have a
104 likelihood of materially prejudicing or embarrassing a complainant or
105 a respondent; (9) preserve confidences of complainants and
106 respondents; (10) exercise independent professional judgment on
107 behalf of the commission; and (11) represent the commission
108 competently.

109 (i) No member or employee of the commission may make a
110 contribution, as defined in section 9-333b, to any person subject to the

111 provisions of this part.

112 (j) Members of the commission shall recuse themselves from
113 participating in any proceeding or matter undertaken pursuant to this
114 chapter that involves the person who appointed such member to the
115 commission.

116 (k) No member of the commission may represent any business or
117 person, other than themselves, before the commission for a period of
118 one year following the end of such member's service on the
119 commission. No business or person that appears before the
120 commission shall employ or otherwise engage the services of a former
121 member of the commission for a period of one year following the end
122 of such former member's service on the commission.

123 (l) No member of the commission may hold any other position in
124 state employment for a period of one year following the end of such
125 member's service on the commission, including but not limited to,
126 service as a member on a state board or commission, service as a judge
127 of the Superior Court or service as a state agency commissioner.

128 Sec. 3. Section 1-81 of the general statutes is repealed and the
129 following is substituted in lieu thereof (*Effective July 1, 2005*):

130 (a) The commission shall:

131 (1) Compile and maintain an index of all reports, advisory opinions,
132 memoranda filed under the provisions of subsection (f) of section 1-82a
133 and statements filed by and with the commission to facilitate public
134 access to such reports and statements as provided by this part;

135 (2) Preserve advisory opinions permanently; preserve memoranda
136 filed under subsection (f) of section 1-82a, and statements and reports
137 filed by and with the commission for a period of five years from the
138 date of receipt;

139 (3) Upon the concurring vote of five of its members, issue advisory

140 opinions with regard to the requirements of this part, upon the request
 141 of any person subject to the provisions of this part, and publish such
 142 advisory opinions in the Connecticut Law Journal. Advisory opinions
 143 rendered by the commission, until amended or revoked, shall be
 144 binding on the commission and shall be deemed to be final decisions
 145 of the commission for purposes of section 1-87. Any advisory opinion
 146 concerning the person who requested the opinion and who acted in
 147 reliance thereon, in good faith, shall be binding upon the commission,
 148 and it shall be an absolute defense in any criminal action brought
 149 under the provisions of this part, that the accused acted in reliance
 150 upon such advisory opinion;

151 (4) Report annually, prior to April fifteenth, to the Governor
 152 summarizing the activities of the commission; [and]

153 (5) Adopt regulations in accordance with chapter 54 to carry out the
 154 purposes of this part;

155 (6) Make legislative recommendations to the General Assembly; and

156 (7) Meet monthly with the commission's executive director, ethics
 157 general counsel and ethics enforcement officer.

158 (b) The commission [may] shall employ an executive director, [and]
 159 an ethics general counsel and an ethics enforcement officer, each of
 160 whom shall be outside classified state service. No one person may
 161 serve in more than one of the positions described in this subsection.
 162 The commission may employ necessary staff within available
 163 appropriations.

164 (c) The executive director, described in subsection (b) of this section,
 165 shall be appointed by the commission. The commission shall annually
 166 evaluate the performance of such executive director and may remove
 167 the executive director, after consultation with the Attorney General, for
 168 good cause shown.

169 (d) The ethics general counsel and the ethics enforcement officer,

170 described in subsection (b) of this section, shall each be appointed by
171 the executive director of the commission after consultation with the
172 commission. The executive director shall annually evaluate the
173 performance of the ethics general counsel and the ethics enforcement
174 officer and may remove the ethics general counsel or the ethics
175 enforcement officer for good cause shown.

176 (e) There shall be a legal division within the commission. The legal
177 division shall provide information and verbal and written opinions to
178 persons subject to the code and to the general public. The ethics
179 general counsel, described in subsection (b) of this section, shall
180 supervise such division. No information received by the legal division
181 may be used to investigate or instigate a complaint.

182 (f) There shall be an enforcement division within the commission.
183 The enforcement division shall be responsible for investigating
184 complaints brought to or by the commission. The ethics enforcement
185 officer, described in subsection (b) of this section, shall supervise such
186 division. The division shall employ such attorneys and investigators,
187 as necessary, within available appropriations. The division may refer
188 matters to the office of the Chief State's Attorney as appropriate.

189 (g) Upon request, the commission shall provide training on the code
190 of ethics to individuals or entities that are subject to the code,
191 including, but not limited to, state agencies.

192 Sec. 4. Section 1-81a of the general statutes is repealed and the
193 following is substituted in lieu thereof (*Effective July 1, 2005*):

194 (a) Notwithstanding any provision of the general statutes, the
195 appropriations recommended for the [State Ethics] Citizens' Ethics and
196 Government Integrity Commission, as established in section 1-80, as
197 amended by this act, shall be the estimates of expenditure
198 requirements transmitted to the Secretary of the Office of Policy and
199 Management by the executive director of the commission and the
200 recommended adjustments and revisions of such estimates shall be the

201 recommended adjustments and revisions, if any, transmitted by said
202 executive director to the Office of Policy and Management.

203 (b) Notwithstanding any provision of the general statutes, the
204 Governor shall not reduce allotment requisitions or allotments in force
205 concerning the [State Ethics] Citizens' Ethics and Government Integrity
206 Commission.

207 Sec. 5. Section 1-81b of the general statutes is repealed and the
208 following is substituted in lieu thereof (*Effective July 1, 2005*):

209 The [State Ethics] Citizens' Ethics and Government Integrity
210 Commission shall develop a plain language summary of state ethics
211 laws concerning (1) persons, firms and corporations submitting bids or
212 proposals for state contracts, and (2) state contractors. The commission
213 shall publish said summary on the commission's web site.

214 Sec. 6. Section 1-82 of the general statutes is repealed and the
215 following is substituted in lieu thereof (*Effective July 1, 2005*):

216 (a) (1) Upon the complaint of any person on a form prescribed by
217 the commission, signed under penalty of false statement, or upon its
218 own complaint, the commission shall investigate any alleged violation
219 of this part. Not later than five days after the receipt or issuance of
220 such complaint, the commission shall provide notice of such receipt or
221 issuance and a copy of the complaint by registered or certified mail to
222 any respondent against whom such complaint is filed and shall
223 provide notice of the receipt of such complaint to the complainant.
224 When the commission undertakes an evaluation of a possible violation
225 of this part prior to the filing of a complaint by the commission, the
226 subject of the evaluation shall be notified within five business days
227 after a commission staff member's first contact with a third party
228 concerning the matter.

229 (2) In the conduct of its investigation of an alleged violation of this
230 part, the commission shall have the power to hold hearings, administer

231 oaths, examine witnesses, receive oral and documentary evidence,
 232 subpoena witnesses under procedural rules adopted by the
 233 commission as regulations in accordance with the provisions of
 234 chapter 54 to compel attendance before the commission and to require
 235 the production for examination by the commission of any books and
 236 papers which the commission deems relevant in any matter under
 237 investigation or in question. In the exercise of such powers, the
 238 commission may use the services of the state police, who shall provide
 239 the same upon the commission's request. The commission shall make a
 240 record of all proceedings conducted pursuant to this subsection. Any
 241 witness summoned before the commission shall receive the witness fee
 242 paid to witnesses in the courts of this state. During the investigation
 243 the respondent shall have the right to appear and be heard and to offer
 244 any information which may tend to clear him of probable cause to
 245 believe he has violated any provision of this part. The respondent shall
 246 also have the right to be represented by legal counsel and to examine
 247 and cross-examine witnesses. Not later than ten days prior to the
 248 commencement of any hearing conducted pursuant to this subsection,
 249 the commission shall provide the respondent with a list of its intended
 250 witnesses. The commission shall make no finding that there is
 251 probable cause to believe the respondent is in violation of any
 252 provision of this part except upon the concurring vote of five of its
 253 members.

254 (b) If a preliminary investigation indicates that probable cause exists
 255 for the violation of a provision of this part, the commission shall refer
 256 the matter to a judge trial referee who shall initiate hearings to
 257 determine whether there has been a violation of this part. [A] Such
 258 judge trial referee, who shall be assigned by the Chief Court
 259 Administrator and who shall be compensated in accordance with
 260 section 52-434 out of funds available to the commission, and shall
 261 preside over such hearing and [shall] rule on all matters concerning the
 262 application of the rules of evidence, which shall be the same as in
 263 judicial proceedings. [The trial referee shall have no vote in any
 264 decision of the commission.] All hearings [of the commission] held

265 pursuant to this subsection shall be open. At such hearing the
 266 [commission] judge trial referee shall have the same powers as the
 267 commission under subsection (a) of this section and the respondent
 268 shall have the right to be represented by legal counsel, the right to
 269 compel attendance of witnesses and the production of books,
 270 documents, records and papers and to examine and cross-examine
 271 witnesses. Not later than ten days prior to the commencement of any
 272 hearing conducted pursuant to this subsection, the commission shall
 273 provide the respondent with a list of its intended witnesses. The judge
 274 trial referee shall, while engaged in the discharge of his duties as
 275 provided in this subsection, have the same authority as is provided in
 276 section 51-35 over witnesses who refuse to obey a subpoena or to
 277 testify with respect to any matter upon which such witness may be
 278 lawfully interrogated, and may commit any such witness for contempt
 279 for a period no longer than thirty days. The commission shall make a
 280 record of all proceedings pursuant to this subsection. [The commission
 281 shall find no person in violation of any provision of this part except
 282 upon the concurring vote of seven of its members.] Not later than
 283 fifteen days after the public hearing conducted in accordance with this
 284 subsection, the [commission] judge trial referee shall publish [its] such
 285 referee's finding and a memorandum of the reasons therefor. Such
 286 finding and memorandum shall be deemed to be the final decision of
 287 the commission on the matter for the purposes of chapter 54. The
 288 respondent, if aggrieved by the finding and memorandum, may
 289 appeal therefrom to the Superior Court in accordance with the
 290 provisions of section 4-183.

291 (c) If: (1) [the] The commission finds, after a hearing pursuant to this
 292 section, that there is no probable cause to believe that a public official
 293 or state employee has violated a provision of this part, [or] (2) a judge
 294 trial referee determines, after a hearing pursuant to this section, that a
 295 public official or state employee has not violated any such provision,
 296 or [if] (3) a court of competent jurisdiction overturns a finding by [the
 297 commission] a judge trial referee of a violation by such a respondent,
 298 the state shall pay the reasonable legal expenses of the respondent as

299 determined by the Attorney General or by the court if appropriate. If
300 any complaint brought under the provisions of this part is made with
301 the knowledge that it is made without foundation in fact, the
302 respondent shall have a cause of action against the complainant for
303 double the amount of damage caused thereby and if the respondent
304 prevails in such action, he may be awarded by the court the costs of
305 such action together with reasonable attorneys' fees.

306 (d) No complaint may be made under this section except within five
307 years next after the violation alleged in the complaint has been
308 committed.

309 (e) No person shall take or threaten to take official action against an
310 individual for such individual's disclosure of information to the
311 commission under the provisions of this part. After receipt of
312 information from an individual under the provisions of this part, the
313 commission shall not disclose the identity of such individual without
314 his consent unless the commission determines that such disclosure is
315 unavoidable during the course of an investigation.

316 Sec. 7. Subsection (a) of section 1-82a of the general statutes is
317 repealed and the following is substituted in lieu thereof (*Effective July*
318 *1, 2005*):

319 (a) Unless the commission makes a finding of probable cause, a
320 complaint alleging a violation of this part shall be confidential except
321 upon the request of the respondent. A commission evaluation of a
322 possible violation of this part prior to the filing of a complaint by the
323 commission shall be confidential except upon the request of the subject
324 of the evaluation. If the evaluation is confidential, any information
325 supplied to or received from the commission shall not be disclosed to
326 any third party by a subject of the evaluation, a person contacted for
327 the purpose of obtaining information or by a commission or staff
328 member. No provision of this subsection shall prevent the [Ethics]
329 Citizens' Ethics and Government Integrity Commission from reporting
330 the possible commission of a crime to the Chief State's Attorney or

331 other prosecutorial authority.

332 Sec. 8. Section 1-83 of the general statutes is repealed and the
333 following is substituted in lieu thereof (*Effective July 1, 2005*):

334 (a) (1) All state-wide elected officers, members of the General
335 Assembly, department heads and their deputies, members of the
336 Gaming Policy Board, the executive director of the Division of Special
337 Revenue within the Department of Revenue Services, members or
338 directors of each quasi-public agency, members of the Investment
339 Advisory Council, state marshals and such members of the Executive
340 Department and such employees of quasi-public agencies as the
341 Governor shall require, shall file, under penalty of false statement, a
342 statement of financial interests for the preceding calendar year with the
343 commission on or before the May first next in any year in which they
344 hold such a position. Any such individual who leaves his or her office
345 or position shall file a statement of financial interests covering that
346 portion of the year during which such individual held his or her office
347 or position. The commission shall notify such individuals of the
348 requirements of this subsection within thirty days after their departure
349 from such office or position. Such individuals shall file such statement
350 within sixty days after receipt of the notification.

351 (2) Each state agency, department, board and commission shall
352 develop and implement, in cooperation with the [Ethics] Citizens'
353 Ethics and Government Integrity Commission, an ethics statement as it
354 relates to the mission of the agency, department, board or commission.
355 The executive head of each such agency, department, board or
356 commission shall be directly responsible for the development and
357 enforcement of such ethics statement and shall file a copy of such
358 ethics statement with the Department of Administrative Services and
359 the [Ethics] Citizens' Ethics and Government Integrity Commission.

360 (b) (1) The statement of financial interests, except as provided in
361 subdivision (2) of this subsection, shall include the following
362 information for the preceding calendar year in regard to the individual

363 required to file the statement and the individual's spouse and
364 dependent children residing in the individual's household: (A) The
365 names of all businesses with which associated; (B) the category or type
366 of all sources of income in excess of one thousand dollars, without
367 specifying amounts of income; (C) the name of securities in excess of
368 five thousand dollars at fair market value owned by such individual,
369 spouse or dependent children or held in the name of a corporation,
370 partnership or trust for the benefit of such individual, spouse or
371 dependent children; (D) the existence of any known blind trust and the
372 names of the trustees; (E) all real property and its location, whether
373 owned by such individual, spouse or dependent children or held in the
374 name of a corporation, partnership or trust for the benefit of such
375 individual, spouse or dependent children; (F) the names and addresses
376 of creditors to whom the individual, the individual's spouse or
377 dependent children, individually, owed debts of more than ten
378 thousand dollars; (G) any leases or contracts with the state held or
379 entered into by the individual or a business with which he or she was
380 associated; and (H) a description of any partnership, joint ownership
381 or similar business affiliation between (i) a business included under
382 subparagraph (A) of this subdivision with which the individual filing
383 the statement, the individual's spouse or a dependent child of the
384 individual is associated, and (ii) a lobbyist, a person that the individual
385 filing the statement knows or has reason to know is doing business
386 with or seeking to do business with the state or is engaged in activities
387 that are directly regulated by the department or agency in which the
388 individual is employed, or a business with which such lobbyist or
389 person is associated.

390 (2) The statement of financial interests filed by state marshals shall
391 include only amounts and sources of income earned in their capacity
392 as state marshals.

393 (c) The statement of financial interests filed pursuant to this section
394 shall be a matter of public information, except the list of names, filed in
395 accordance with subparagraph (F) of subdivision (1) of subsection (b)

396 of this section shall be sealed and confidential and for the use of the
397 commission only after a complaint has been filed under section 1-82, as
398 amended by this act, and such complaint has been determined by a
399 vote of the commission to be of sufficient merit and gravity to justify
400 the unsealing of such list or lists and not open to public inspection
401 unless the respondent requests otherwise. If the commission reports its
402 findings to the Chief State's Attorney in accordance with subsection (c)
403 of section 1-88, as amended by this act, the commission shall turn over
404 to the Chief State's Attorney such relevant information contained in the
405 statement as may be germane to the specific violation or violations or a
406 prosecutorial official may subpoena such statement in a criminal
407 action. Unless otherwise a matter of public record, the [Ethics]
408 Citizens' Ethics and Government Integrity Commission shall not
409 disclose to the public any such subpoena which would be exempt from
410 disclosure by the issuing agency.

411 (d) Any individual who is unable to provide information required
412 under the provisions of subdivision (1) of subsection (b) of this section
413 by reason of impossibility may petition the commission for a waiver of
414 the requirements.

415 Sec. 9. Section 1-84b of the general statutes is repealed and the
416 following is substituted in lieu thereof (*Effective July 1, 2005*):

417 (a) No former executive branch or quasi-public agency public
418 official or state employee shall represent anyone other than the state,
419 concerning any particular matter (1) in which he participated
420 personally and substantially while in state service, and (2) in which the
421 state has a substantial interest.

422 (b) No former executive branch or quasi-public agency public
423 official or state employee shall, for one year after leaving state service,
424 represent anyone, other than the state, for compensation before the
425 department, agency, board, commission, council or office in which he
426 served at the time of his termination of service, concerning any matter
427 in which the state has a substantial interest. The provisions of this

428 subsection shall not apply to an attorney who is a former employee of
429 the Division of Criminal Justice, with respect to any representation in a
430 matter under the jurisdiction of a court.

431 (c) The provisions of this subsection apply to present or former
432 executive branch public officials or state employees who hold or
433 formerly held positions which involve significant decision-making or
434 supervisory responsibility and are designated as such by the [State
435 Ethics] Citizens' Ethics and Government Integrity Commission in
436 consultation with the agency concerned except that such provisions
437 shall not apply to members or former members of the boards or
438 commissions who serve ex officio, who are required by statute to
439 represent the regulated industry or who are permitted by statute to
440 have a past or present affiliation with the regulated industry.
441 Designation of positions subject to the provisions of this subsection
442 shall be by regulations adopted by the [State Ethics] Citizens' Ethics
443 and Government Integrity Commission in accordance with chapter 54.
444 As used in this subsection, "agency" means the Office of Health Care
445 Access, the Connecticut Siting Council, the Department of Banking, the
446 Insurance Department, the Department of Public Safety, the office
447 within the Department of Consumer Protection that carries out the
448 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the
449 Department of Public Utility Control, including the Office of
450 Consumer Counsel, the Division of Special Revenue and the Gaming
451 Policy Board and the term "employment" means professional services
452 or other services rendered as an employee or as an independent
453 contractor.

454 (1) No public official or state employee, in an executive branch
455 position designated by the [State Ethics] Citizens' Ethics and
456 Government Integrity Commission shall negotiate for, seek or accept
457 employment with any business subject to regulation by his agency.

458 (2) No former public official or state employee who held such a
459 position in the executive branch shall within one year after leaving an

460 agency, accept employment with a business subject to regulation by
461 that agency.

462 (3) No business shall employ a present or former public official or
463 state employee in violation of this subsection.

464 (d) The provisions of subsection (e) of this section apply to (1)
465 present or former Gaming Policy Board or Division of Special Revenue
466 public officials or state employees who hold or formerly held positions
467 which involve significant decision-making or supervisory
468 responsibility and are designated as such by the [State Ethics] Citizens'
469 Ethics and Government Integrity Commission, in consultation with the
470 agency concerned, and (2) present or former public officials or state
471 employees of other agencies who hold or formerly held positions
472 which involve significant decision-making or supervisory
473 responsibility concerning the regulation or investigation of (A) any
474 business entity (i) engaged in Indian gaming operations in the state,
475 and (ii) in which a federally-recognized Indian tribe in the state owns a
476 controlling interest, or (B) a governmental agency of a federally-
477 recognized Indian tribe engaged in Indian gaming operations in the
478 state, which positions are designated as such by the [State Ethics]
479 Citizens' Ethics and Government Integrity Commission, in
480 consultation with the agency concerned. Designation of positions
481 subject to the provisions of this subsection shall be by regulations
482 adopted by the [State Ethics] Citizens' Ethics and Government
483 Integrity Commission in accordance with chapter 54. As used in
484 subsection (e) of this section, the term "employment" means
485 professional services or other services rendered as an employee or as
486 an independent contractor.

487 (e) (1) No Gaming Policy Board or Division of Special Revenue
488 public official or state employee or other public official or state
489 employee described in subdivision (2) of subsection (d) of this section,
490 in a position designated by the [State Ethics] Citizens' Ethics and
491 Government Integrity Commission, shall negotiate for, seek or accept

492 employment with (A) a business entity (i) engaged in Indian gaming
493 operations in the state, and (ii) in which a federally-recognized Indian
494 tribe in the state owns a controlling interest, or (B) a governmental
495 agency of a federally-recognized Indian tribe engaged in Indian
496 gaming operations in the state.

497 (2) No former Gaming Policy Board or Division of Special Revenue
498 public official or state employee or other former public official or state
499 employee described in subdivision (2) of subsection (d) of this section,
500 who held such a position shall, within two years after leaving such
501 agency, accept employment with (A) a business entity (i) engaged in
502 Indian gaming operations in the state, and (ii) in which a federally-
503 recognized Indian tribe in the state owns a controlling interest, or (B) a
504 governmental agency of a federally-recognized Indian tribe engaged in
505 Indian gaming operations in the state.

506 (f) No former public official or state employee (1) who participated
507 substantially in the negotiation or award of (A) a state contract valued
508 at an amount of fifty thousand dollars or more, or (B) a written
509 agreement for the approval of a payroll deduction slot described in
510 section 3-123g, or (2) who supervised the negotiation or award of such
511 a contract or agreement, shall accept employment with a party to the
512 contract or agreement other than the state for a period of one year after
513 his resignation from his state office or position if his resignation occurs
514 less than one year after the contract or agreement is signed.

515 (g) No member or director of a quasi-public agency who
516 participates substantially in the negotiation or award of a contract
517 valued at an amount of fifty thousand dollars or more, or who
518 supervised the negotiation or award of such a contract, shall seek,
519 accept, or hold employment with a party to the contract for a period of
520 one year after the signing of the contract.

521 (h) The regulations required to implement the provisions of
522 subsection (c) of this section may be adopted by the [State Ethics]
523 Citizens' Ethics and Government Integrity Commission prior to

524 January 7, 1987, but may not take effect prior to that date.

525 (i) The provisions of subsections (a), (b) and (f) of this section shall
526 not apply to any employee of a quasi-public agency who leaves such
527 agency before July 1, 1989.

528 (j) No Treasurer who authorizes, negotiates or renegotiates a
529 contract for investment services valued at an amount of fifty thousand
530 dollars or more shall negotiate for, seek or accept employment with a
531 party to the contract prior to one year after the end of the Treasurer's
532 term of office within which such contract for investment services was
533 authorized, negotiated or renegotiated by such Treasurer.

534 Sec. 10. Subsection (c) of section 1-86 of the general statutes is
535 repealed and the following is substituted in lieu thereof (*Effective July*
536 *1, 2005*):

537 (c) No person required to register with the [State Ethics] Citizens'
538 Ethics and Government Integrity Commission under section 1-94 shall
539 accept employment with the General Assembly or with any member of
540 the General Assembly in connection with legislative action, as defined
541 in section 1-91, as amended by this act. No member of the General
542 Assembly shall be a lobbyist.

543 Sec. 11. Section 1-86d of the general statutes is repealed and the
544 following is substituted in lieu thereof (*Effective July 1, 2005*):

545 (a) Any public official or state employee who establishes a legal
546 defense fund, or for whom a legal defense fund has been established,
547 shall file a report on said fund with the [State Ethics] Citizens' Ethics
548 and Government Integrity Commission not later than the tenth day of
549 January, April, July and October. Each such report shall include the
550 following information for the preceding calendar quarter: (1) The
551 names of the directors and officers of the fund, (2) the name of the
552 depository institution for the fund, (3) an itemized accounting of each
553 contribution to the fund, including the full name and complete address

554 of each contributor and the amount of the contribution, and (4) an
555 itemized accounting of each expenditure, including the full name and
556 complete address of each payee and the amount and purpose of the
557 expenditure. The public official or state employee shall sign each such
558 report under penalty of false statement. The provisions of this
559 subsection shall not apply to any person who has made a contribution
560 to a legal defense fund before June 3, 2004.

561 (b) (1) In addition to the prohibitions on gifts under subsections (j)
562 and (m) of section 1-84 and subsection (a) of section 1-97, no public
563 official or state employee shall accept, directly or indirectly, any
564 contribution to a legal defense fund established by or for the public
565 official or state employee, from (A) a member of the immediate family
566 of any person who is prohibited from giving a gift under subsection (j)
567 or (m) of section 1-84 or subsection (a) of section 1-97, or (B) a person
568 who is appointed by said public official or state employee to serve on a
569 paid, full-time basis. No person described in subparagraph (A) or (B)
570 of this subdivision shall make a contribution to such a legal defense
571 fund, and no such person or any person prohibited from making a gift
572 under subsection (j) or (m) of section 1-84 or subsection (a) of section 1-
573 97 shall solicit a contribution for such a legal defense fund.

574 (2) A public official or state employee may accept a contribution or
575 contributions to a legal defense fund established by or for the public
576 official or state employee from any other person, provided the total
577 amount of such contributions from any such person in any calendar
578 year shall not exceed one thousand dollars. No such person shall make
579 a contribution or contributions to said legal defense fund exceeding
580 one thousand dollars in any calendar year. The provisions of this
581 subdivision shall not apply in 2004, to any person who has made a
582 contribution or contributions to a legal defense fund exceeding one
583 thousand dollars in 2004, before June 3, 2004, provided said legal
584 defense fund shall not accept any additional contributions from such
585 person in 2004, and such person shall not make any additional
586 contributions to said fund in 2004.

587 (3) Notwithstanding the provisions of subdivision (2) of this
 588 subsection, a public official or state employee may accept a
 589 contribution or contributions, in any amount, to a legal defense fund
 590 established by or for the public official or state employee from a
 591 relative of the public official or state employee or a person whose
 592 relationship with the public official or state employee is not dependent
 593 on the official's or employee's status as a public official or state
 594 employee. The factors that the [State Ethics] Citizens' Ethics and
 595 Government Integrity Commission shall consider in determining
 596 whether a person's relationship is so dependent shall include, but not
 597 be limited to, whether the person may be able to benefit from the
 598 exercise of official authority of the public official or state employee and
 599 whether the person made gifts to the public official or state employee
 600 before the official or employee began serving in such office or position.

601 Sec. 12. Section 1-88 of the general statutes is repealed and the
 602 following is substituted in lieu thereof (*Effective July 1, 2005*):

603 (a) The [commission] judge trial referee, upon a finding made
 604 pursuant to section 1-82, as amended by this act, that there has been a
 605 violation of any provision of this part, shall have the authority to order
 606 the violator to do any or all of the following: (1) Cease and desist the
 607 violation of this part; (2) file any report, statement or other information
 608 as required by this part; and (3) pay a civil penalty of not more than
 609 ten thousand dollars for each violation of this part.

610 (b) Notwithstanding the provisions of subsection (a) of this section,
 611 the commission may, after a hearing conducted in accordance with
 612 sections 4-176e to 4-184, inclusive, upon the concurring vote of seven
 613 of its members, impose a civil penalty not to exceed ten dollars per day
 614 upon any individual who fails to file any report, statement or other
 615 information as required by this part. Each distinct violation of this
 616 subsection shall be a separate offense and in case of a continued
 617 violation, each day thereof shall be deemed a separate offense. In no
 618 event shall the aggregate penalty imposed for such failure to file

619 exceed ten thousand dollars.

620 (c) The commission may also report its finding to the Chief State's
621 Attorney for any action deemed necessary. The commission, upon a
622 finding made by a judge trial referee pursuant to section 1-82, as
623 amended by this act, that a member or member-elect of the General
624 Assembly has violated any provision of this part, shall notify the
625 appropriate house of the General Assembly, in writing, of [its] such
626 finding and the basis for such finding.

627 (d) Any person who knowingly acts in his financial interest in
628 violation of section 1-84, 1-85, 1-86, as amended by this act, or 1-86d, as
629 amended by this act, or any person who knowingly receives a financial
630 advantage resulting from a violation of any of said sections shall be
631 liable for damages in the amount of such advantage. If the commission
632 determines that any person may be so liable, it shall immediately
633 inform the Attorney General of that possibility.

634 (e) Any employee or member of the commission who, in violation of
635 this part, discloses information filed in accordance with subparagraph
636 (B) or subparagraph (F) of subdivision (1) of subsection (b) of section 1-
637 83, as amended by this act, shall be dismissed, if an employee, or
638 removed from the commission, if a member.

639 Sec. 13. Section 1-89a of the general statutes is repealed and the
640 following is substituted in lieu thereof (*Effective July 1, 2005*):

641 (a) In each odd-numbered calendar year, the [State Ethics] Citizens'
642 Ethics and Government Integrity Commission, the Connecticut
643 Humanities Council and the Joint Committee on Legislative
644 Management shall conduct a conference on ethical issues affecting
645 members of the General Assembly and lobbyists.

646 (b) In each even-numbered calendar year, the [State Ethics] Citizens'
647 Ethics and Government Integrity Commission shall conduct a
648 conference on ethical issues affecting executive branch and quasi-

649 public agency public officials and state employees.

650 Sec. 14. Subsection (c) of section 1-91 of the general statutes is
651 repealed and the following is substituted in lieu thereof (*Effective July*
652 *1, 2005*):

653 (c) "Commission" means the [State Ethics] Citizens' Ethics and
654 Government Integrity Commission established under section 1-80, as
655 amended by this act.

656 Sec. 15. Subdivision (5) of section 1-92 of the general statutes is
657 repealed and the following is substituted in lieu thereof (*Effective July*
658 *1, 2005*):

659 (5) Upon the concurring vote of five of its members, issue advisory
660 opinions with regard to the requirements of this part, upon the request
661 of any person, subject to the provisions of this part, and publish such
662 advisory opinions in the Connecticut Law Journal. Advisory opinions
663 rendered by the commission, until amended or revoked, shall be
664 binding on the commission or a judge trial referee conducting a
665 hearing pursuant to section 1-93, as amended by this act, as applicable,
666 and shall be deemed to be final decisions of the commission for
667 purposes of section 1-98. Any advisory opinion concerning any person
668 subject to the provisions of this part who requested the opinion and
669 who acted in reliance thereon, in good faith, shall be binding upon the
670 commission or a judge trial referee conducting a hearing pursuant to
671 section 1-93, as amended by this act, as applicable, and it shall be an
672 absolute defense in any criminal action brought under the provisions
673 of this part that the accused acted in reliance upon such advisory
674 opinion.

675 Sec. 16. Subsection (b) of section 1-93 of the general statutes is
676 repealed and the following is substituted in lieu thereof (*Effective July*
677 *1, 2005*):

678 (b) If a preliminary investigation indicates that probable cause exists

679 for the violation of a provision of this part, the commission shall refer
680 the matter to a judge trial referee to initiate hearings to determine
681 whether there has been a violation of this part. [A] Such judge trial
682 referee, who shall be assigned by the Chief Court Administrator and
683 who shall be compensated in accordance with section 52-434 out of
684 funds available to the commission, shall preside over such hearing and
685 shall rule on all matters concerning the application of the rules of
686 evidence, which shall be the same as in judicial proceedings. [The trial
687 referee shall have no vote in any decision of the commission.] All
688 hearings [of the commission] held pursuant to this subsection shall be
689 open. At such hearing, the [commission] judge trial referee shall have
690 the same powers as the commission under subsection (a) of this section
691 and the respondent shall have the right to be represented by legal
692 counsel, the right to compel attendance of witnesses and the
693 production of books, documents, records and papers and to examine
694 and cross-examine witnesses. Not later than ten days prior to the
695 commencement of any hearing conducted pursuant to this subsection,
696 the commission shall provide the respondent with a list of its intended
697 witnesses. The judge trial referee shall, while engaged in the discharge
698 of his duties as provided in this subsection, have the same authority as
699 is provided in section 51-35 over witnesses who refuse to obey a
700 subpoena or to testify with respect to any matter upon which such
701 witness may be lawfully interrogated, and may commit any such
702 witness for contempt for a period no longer than thirty days. The
703 commission shall make a record of all proceedings pursuant to this
704 subsection. [The commission shall find no person in violation of any
705 provision of this part except upon the concurring vote of six of its
706 members.] Not later than fifteen days after the public hearing
707 conducted in accordance with this subsection, the [commission] judge
708 trial referee shall publish its finding and a memorandum of the reasons
709 therefor. Such finding and memorandum shall be deemed to be the
710 final decision of the commission on the matter for the purposes of
711 chapter 54. The respondent, if aggrieved by the finding and
712 memorandum, may appeal therefrom to the Superior Court in

713 accordance with the provisions of section 4-183.

714 Sec. 17. Subsection (a) of section 1-93a of the general statutes is
715 repealed and the following is substituted in lieu thereof (*Effective July*
716 *1, 2005*):

717 (a) Unless the commission makes a finding of probable cause, a
718 complaint alleging a violation of this part shall be confidential except
719 upon the request of the respondent. A commission evaluation of a
720 possible violation of this part undertaken prior to a complaint being
721 filed by the commission shall be confidential except upon the request
722 of the subject of the evaluation. If the evaluation is confidential, any
723 information supplied to or received from the commission shall not be
724 disclosed to any third party by a subject of the evaluation, a person
725 contacted for the purpose of obtaining information or by a commission
726 or staff member. No provision of this subsection shall prevent the
727 [Ethics] Citizens' Ethics and Government Integrity Commission from
728 reporting the possible commission of a crime to the Chief State's
729 Attorney or other prosecutorial authority.

730 Sec. 18. Section 1-96c of the general statutes is repealed and the
731 following is substituted in lieu thereof (*Effective July 1, 2005*):

732 On and after January 1, 1999, the [State Ethics] Citizens' Ethics and
733 Government Integrity Commission shall make all computerized data
734 from financial reports required by section 1-96 available to the public
735 through (1) a computer terminal in the office of the commission, and
736 (2) the Internet or any other generally available on-line computer
737 network.

738 Sec. 19. Section 1-96e of the general statutes is repealed and the
739 following is substituted in lieu thereof (*Effective July 1, 2005*):

740 Each registrant who pays or reimburses a public official or state
741 employee ten dollars or more for necessary expenses, as defined in
742 section 1-79, as amended by this act, shall, within thirty days, file a

743 statement with the [State Ethics] Citizens' Ethics and Government
744 Integrity Commission indicating the name of such individual and the
745 amount of the expenses.

746 Sec. 20. Subsection (a) of section 1-99 of the general statutes is
747 repealed and the following is substituted in lieu thereof (*Effective July*
748 *1, 2005*):

749 (a) The [commission] judge trial referee, upon a finding made
750 pursuant to section 1-93, as amended by this act, that there has been a
751 violation of any provision of this part, shall have the authority to order
752 the violator to do any or all of the following: (1) Cease and desist the
753 violation of this part; (2) file any report, statement or other information
754 as required by this part; or (3) pay a civil penalty of not more than ten
755 thousand dollars for each violation of this part. The [commission]
756 judge trial referee may prohibit any person who intentionally violates
757 any provision of this part from engaging in the profession of lobbyist
758 for a period of not more than two years. The [commission] judge trial
759 referee may impose a civil penalty on any person who knowingly
760 enters into a contingent fee agreement in violation of subsection (b) of
761 section 1-97 or terminates a lobbying contract as the result of the
762 outcome of an administrative or legislative action. The civil penalty
763 shall be equal to the amount of compensation which the registrant was
764 required to be paid under the agreement.

765 Sec. 21. Section 4-9a of the general statutes is repealed and the
766 following is substituted in lieu thereof (*Effective July 1, 2005*):

767 (a) The Governor shall appoint the chairperson and executive
768 director, if any, of all boards and commissions within the Executive
769 Department, except the Board of Governors of Higher Education,
770 provided the Governor shall appoint the initial chairman of said board
771 as provided in section 10a-2, the State Properties Review Board, the
772 State Elections Enforcement Commission, the Commission on Human
773 Rights and Opportunities, the [State Ethics] Citizens' Ethics and
774 Government Integrity Commission, the Commission on Aging and the

775 Commission on Fire Prevention and Control.

776 (b) Public members shall constitute not less than one-third of the
777 members of each board and commission within the Executive
778 Department, except the Gaming Policy Board and the Commission on
779 Human Rights and Opportunities. Public member means an elector of
780 the state who has no substantial financial interest in, is not employed
781 in or by, and is not professionally affiliated with, any industry,
782 profession, occupation, trade or institution regulated or licensed by the
783 relevant board or commission, and who has had no professional
784 affiliation with any such industry, profession, occupation, trade or
785 institution for three years preceding his appointment to the board or
786 commission. Except as otherwise specifically provided by the general
787 statutes, this section shall not apply to the Commission on Fire
788 Prevention and Control, boards and commissions the membership of
789 which is entirely composed of state department heads, elected officials
790 or deputies appointed by such department heads or where the
791 membership of such board or commission is determined in accordance
792 with the provisions of any federal law.

793 (c) Notwithstanding any provision of law to the contrary, the term
794 of each member of each board and commission within the executive
795 branch, except the State Board of Education, the Board of Governors of
796 Higher Education, the Gaming Policy Board, the Commission on
797 Human Rights and Opportunities, the State Elections Enforcement
798 Commission, the State Properties Review Board, the [State Ethics]
799 Citizens' Ethics and Government Integrity Commission, the
800 Commission on Medicolegal Investigations, the Psychiatric Security
801 Review Board, the Commission on Fire Prevention and Control, the E
802 9-1-1 Commission, the Connecticut Commission on Culture and
803 Tourism, the Commission on Aging, the board of trustees of each
804 constituent unit of the state system of higher education and the Board
805 of Pardons and Paroles, commencing on or after July 1, 1979, shall be
806 coterminous with the term of the Governor or until a successor is
807 chosen whichever is later.

808 (d) Each member of each board and commission within the
809 executive branch shall serve at the pleasure of the appointing authority
810 except where otherwise specifically provided by any provision of the
811 general statutes.

812 Sec. 22. Subsection (a) of section 4b-4 of the general statutes is
813 repealed and the following is substituted in lieu thereof (*Effective July*
814 *1, 2005*):

815 (a) No employee of the Properties Review Board shall hold another
816 state or municipal position, nor shall any such employee or any
817 nonclerical employee in the unit in the Department of Public Works
818 which is responsible for acquiring, leasing and selling real property on
819 behalf of the state, be directly involved in any enterprise which does
820 business with the state or be directly or indirectly involved in any
821 enterprise concerned with real estate acquisition or development. Each
822 member and employee of the State Properties Review Board shall file,
823 with the board and with the [State Ethics] Citizens' Ethics and
824 Government Integrity Commission, and each such employee of the
825 department shall file, with the department and with the [State Ethics]
826 Citizens' Ethics and Government Integrity Commission, a financial
827 statement indicating all sources of business income of such person in
828 excess of one thousand dollars, and the name of any business with
829 which he is associated, which shall have the same meaning as defined
830 in section 1-79, as amended by this act. Such statement shall be a
831 public record. Financial statements for the preceding calendar year
832 shall be filed with the commission on or before April fifteenth of each
833 year if the employee or member held such a position during the
834 preceding calendar year.

835 Sec. 23. Subsection (b) of section 5-266a of the general statutes is
836 repealed and the following is substituted in lieu thereof (*Effective July*
837 *1, 2005*):

838 (b) A person employed in said classified service or Judicial
839 Department retains the right to vote as he chooses and to express his

840 opinions on political subjects and candidates and shall be free to
 841 participate actively in political management and campaigns. Such
 842 activity may include but shall not be limited to, membership and
 843 holding of office in a political party, organization or club, campaigning
 844 for a candidate in a partisan election by making speeches, writing on
 845 behalf of the candidate or soliciting votes in support of or in opposition
 846 to a candidate and making contributions of time and money to political
 847 parties, committees or other agencies engaged in political action,
 848 except that no such employee shall engage in such activity while on
 849 duty or within any period of time during which such employee is
 850 expected to perform services for which he receives compensation from
 851 the state, and no such employee shall utilize state funds, supplies,
 852 vehicles, or facilities to secure support for or oppose any candidate,
 853 party, or issue in a political partisan election. Notwithstanding the
 854 provisions of this subsection, any person employed in the classified
 855 state service or in the Judicial Department may be a candidate for a
 856 state or municipal office, in any political partisan election. No person
 857 seeking or holding municipal office or seeking state office in
 858 accordance with the provisions of this subsection shall engage in
 859 political activity or in the performance of the duties of such office
 860 while on state duty or within any period of time during which such
 861 person is expected to perform services for which such person receives
 862 compensation from the state. The [State Ethics] Citizens' Ethics and
 863 Government Integrity Commission shall establish by regulation
 864 definitions of conflict of interest which shall preclude persons in the
 865 classified state service or in the Judicial Department from holding
 866 elective office.

867 Sec. 24. Section 3-131 of the general statutes is repealed and the
 868 following is substituted in lieu thereof (*Effective July 1, 2005*):

869 (a) No person may, directly or indirectly, pay a finder's fee to any
 870 person in connection with any investment transaction involving the
 871 state, any quasi-public agency, as defined in section 1-120, or any
 872 political subdivision of the state. No person may, directly or indirectly,

873 receive a finder's fee in connection with any investment transaction
874 involving the state, any quasi-public agency, as defined in section 1-
875 120, or any political subdivision of the state.

876 (b) For purposes of this section:

877 (1) "Finder's fee" means compensation in the form of cash, cash
878 equivalents or other things of value paid to or received by a third party
879 in connection with an investment transaction to which the state, any
880 political subdivision of the state or any quasi-public agency, as defined
881 in section 1-120, is a party for any services, and includes, but is not
882 limited to, any fee paid for lobbying, as defined in subsection (k) of
883 section 1-91, and as defined by the [Ethics] Citizens' Ethics and
884 Government Integrity Commission, in consultation with the Treasurer,
885 in the regulations adopted under subparagraph (C)(ii) of subdivision
886 (3) of this subsection or as prescribed by the Treasurer until such
887 regulations are adopted.

888 (2) "Finder's fee" does not mean (A) (i) compensation earned for the
889 rendering of investment services, as defined in subsection (f) of section
890 9-333n, or for acting as a licensed real estate broker or real estate sales
891 person under the provisions of section 20-312, or under a comparable
892 statute of the jurisdiction in which the subject property is located, or
893 (ii) marketing fees or due diligence fees earned by the payee in
894 connection with the offer, sale or purchase of any security or
895 investment interest, in accordance with criteria prescribed under
896 [subparagraph (ii) of] subparagraph (C)(ii) of subdivision (3) of this
897 subsection, (B) compensation paid to (i) persons who are investment
898 professionals engaged in the ongoing business of representing
899 investment services providers, or (ii) third parties for services
900 connected to the issuance of debt by the state, any political subdivision
901 of the state or any quasi-public agency, as defined in section 1-120, and
902 (C) any compensation which is so defined by the regulations adopted
903 under subparagraph (C)(ii) of subdivision (3) of this subsection, or any
904 compensation which meets criteria prescribed by the Treasurer until

905 such regulations are adopted. As used in this section, "offer" and "sale"
906 have the meaning provided in section 36b-3.

907 (3) "Investment professional" means an individual or firm whose
908 primary business is bringing together institutional funds and
909 investment opportunities and who (A) is a broker-dealer or investment
910 adviser agent licensed or registered (i) under the Connecticut Uniform
911 Securities Act; (ii) in the case of an investment adviser agent, with the
912 Securities and Exchange Commission, in accordance with the
913 Investment Advisors' Act of 1940; or (iii) in the case of a broker-dealer,
914 with the National Association of Securities Dealers in accordance with
915 the Securities Exchange Act of 1934, or (B) is licensed under section 20-
916 312, or under a comparable statute of the jurisdiction in which the
917 subject property is located, or (C) (i) furnishes an investment manager
918 with marketing services including, but not limited to, developing an
919 overall marketing strategy focusing on more than one institutional
920 fund, designing or publishing marketing brochures or other
921 presentation material such as logos and brands for investment
922 products, responding to requests for proposals, completing due
923 diligence questionnaires, identifying a range of potential investors, or
924 such other services as may be identified in regulations adopted under
925 subparagraph (ii) of this subparagraph and (ii) meets criteria
926 prescribed (I) by the Treasurer until regulations are adopted under this
927 subparagraph, or (II) by the [Ethics] Citizens' Ethics and Government
928 Integrity Commission, in consultation with the Treasurer, in
929 regulations adopted in accordance with the provisions of chapter 54.
930 Prior to adopting such regulations, the [Ethics] Citizens' Ethics and
931 Government Integrity Commission shall transmit the proposed
932 regulations to the Treasurer not later than one hundred twenty days
933 before any period for public comment on such regulations commences
934 and shall consider any comments or recommendations the Treasurer
935 may have regarding such regulations. In developing such regulations,
936 the commission shall ensure that the state will not be competitively
937 disadvantaged by such regulations relative to any legitimate financial
938 market.

939 (c) Any person who violates any provision of this section shall be
 940 liable for a civil penalty of not less than the amount of the fee paid or
 941 received in violation of this section and not more than three times said
 942 amount.

943 (1) The Attorney General, upon complaint of the Treasurer or the
 944 [Ethics] Citizens' Ethics and Government Integrity Commission, may
 945 bring an action in the superior court for the judicial district of Hartford
 946 to recover such penalty for a violation of this section which affects a
 947 fund of the state. Any penalty imposed under this section for a
 948 violation which affects any such fund shall be paid to the Treasurer
 949 who shall deposit such moneys in such fund.

950 (2) Any political subdivision of the state may bring an action in the
 951 superior court to recover such penalty for a violation of this section
 952 which affects any fund under the control of such subdivision. Any
 953 penalty imposed under this section for a violation which affects any
 954 such fund shall be paid to such subdivision which shall deposit such
 955 moneys in such fund.

956 (3) Any quasi-public agency, as defined in section 1-120, may bring
 957 an action in the superior court to recover such penalty for a violation of
 958 this section which affects any fund under the control of such agency.
 959 Any penalty imposed under this section for a violation which affects
 960 any such fund shall be paid to such agency which shall deposit such
 961 moneys in such fund.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2005</i>	1-79(d)
Sec. 2	<i>July 1, 2005</i>	1-80
Sec. 3	<i>July 1, 2005</i>	1-81
Sec. 4	<i>July 1, 2005</i>	1-81a
Sec. 5	<i>July 1, 2005</i>	1-81b
Sec. 6	<i>July 1, 2005</i>	1-82
Sec. 7	<i>July 1, 2005</i>	1-82a(a)

Sec. 8	<i>July 1, 2005</i>	1-83
Sec. 9	<i>July 1, 2005</i>	1-84b
Sec. 10	<i>July 1, 2005</i>	1-86(c)
Sec. 11	<i>July 1, 2005</i>	1-86d
Sec. 12	<i>July 1, 2005</i>	1-88
Sec. 13	<i>July 1, 2005</i>	1-89a
Sec. 14	<i>July 1, 2005</i>	1-91(c)
Sec. 15	<i>July 1, 2005</i>	1-92(5)
Sec. 16	<i>July 1, 2005</i>	1-93(b)
Sec. 17	<i>July 1, 2005</i>	1-93a(a)
Sec. 18	<i>July 1, 2005</i>	1-96c
Sec. 19	<i>July 1, 2005</i>	1-96e
Sec. 20	<i>July 1, 2005</i>	1-99(a)
Sec. 21	<i>July 1, 2005</i>	4-9a
Sec. 22	<i>July 1, 2005</i>	4b-4(a)
Sec. 23	<i>July 1, 2005</i>	5-266a(b)
Sec. 24	<i>July 1, 2005</i>	3-13l

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]